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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/649,352

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4182

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EXAMINER

WILLIAMS, ROSS A

ART UNIT

PAPER NUMBER

3714

NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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USPTO@wavsip.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/649,352	<b>Applicant(s)</b> GRISWOLD ET AL.	
	<b>Examiner</b> ROSS A. WILLIAMS	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 8 and 51-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8, 51-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/29/10</u> .                                                 | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 8 and 65 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims state the limitation of "the monolithic tabletop covering all peripheral devices coupled to with the table..." The specification merely states that "All or substantially all of the players interaction with the gaming machine is through the tabletop 112 as described in more detail below." (Specification par 0029). This cannot be read as to mean a "monolithic tabletop" covers all peripheral devices that are coupled to the table chassis. It merely discloses that all or some player interaction occurs through the monolithic tabletop.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 8 and 53 – 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al (US 2003/0027632) in view of Silva et al (US 7,294,059).**

As per claim 8,

a table chassis; (Sines 0085, Fig 1)

one or more display screens mounted in the table chassis and facing generally upward for viewing by one or more players seated proximate the table chassis; (Sines 0094, 0097) Fig 2, #103)

a monolithic tabletop disposed over the table chassis; and (Sines 0093)

....the monolithic tabletop covering all peripheral devices coupled with the table chassis, including the one or more display screens and the contactless input interface.

However, Sines does not specifically state the following “a contactless input interface operable to receive player selections associated with the game play, the input interface within the table chassis adjacent to a portion of the monolithic tabletop, the input interface including an active region having a first EM field associated therewith,

Art Unit: 3714

the input interface being configured or designed such that the first EM field is interrupted by proximity with the surface of the portion of the monolithic tabletop,..."

Silva however teaches the use of player touch pads that are disposed beneath a screen, wherein the screen can be glass, plastic or some other well known material. The touch pad projects a touch detection field that projects thru the screen material, so the player may enter game inputs by merely disturbing the EM touch detection field that is projected (Silva 6:15 - 67). Silva further teaches that the game unit may provided as a flat or table top game unit (Silva 7:37 - 42).

It would be obvious to one of ordinary skill in the art to modify Sines in view of Silva to provide a touch pad assembly under a clear screen that protects the game unit. This would enable the sensitive electronics to be protected from abuse while at the same time allow the player to make game input selections easily without the use of mechanical actuators that are prone to break down and fail over time.

As per claim 53, wherein the one or more display screens includes at least two display screens. (Sines Fig 2)

As per claim 54, further comprising a single master gaming controller connected to each of the two or more display screens in a manner allowing the single master gaming controller to simultaneously control two or more independently operable wager-based games of chance each presented on a respective one of the display screens. (Sines par 0090, Fig 3).

As per claim 55, wherein the at least two display screens are configured to present separate games of chance. (Sines par 0090, 0379, Fig 3).

As per claim 56, wherein the at least two display screens are configured to present an interactive game of chance to a first player and a second player, wherein the gaming table is operable to facilitate interaction between a first player and second player via the gaming machine table. (Sines entire disclosure).

As per claim 57, further comprising one or more touch pads or touch screens~ overlaid on the one or more display screens, for receiving player selections associated with game play on the gaming machine. (refer to the combination of Sines in view of Silva as shown in rejection of claim 8).

As per claim 58, wherein the contactless input interface is disposed between one of the one or more display screens and the monolithic tabletop. (refer to the combination of Sines in view of Silva as shown in rejection of claim 8).

As per claim 59, further comprising a biometric identification device mounted in the table chassis. (Sines discloses biometric devices that are mounted under the monolithic tabletop) (Sines par 0125, 0207).

As per claim 60, further comprising a value input device mounted in the table chassis for receiving credit or cash for game play. (Sines Par 0101).

As per claim 61, wherein the value input device is a wireless credit device disposed beneath the monolithic tabletop that can transmit and receive credit information. (Sines par 0124 – 0125, 0207).

As per claim 62, wherein the wireless credit device is a smart card reader used to facilitate a cashless payment between the first player and the gaming machine table

and wherein information can be transferred between a smart card and the smart card reader. (Sines par 0124 - 0125).

As per claim 63, wherein said monolithic tabletop is configured to isolate the one or more display screens from environmental contamination. (Sines 0093)

As per claim 64, wherein the monolithic tabletop is transparent or semitransparent. (Sines 0093, 0207).

As per claim 65,  
receiving at a credit input device, player account information from a smart card device separated from the credit input device by a transparent or semitransparent monolithic sheet; (Sines 0124 – 0125, 207)

receiving at a biometric identification device, player biometric information from a player separated from the biometric identification device by the monolithic sheet; (Sines 0124 – 0125, 207)

displaying a game presentation to the player via a display covered by the monolithic sheet wherein the monolithic sheet covers all peripheral devices coupled with the gaming machine including the credit input device the biometric identification device the contactless input interface and the display. (Sines Fig 2, 0124 – 0125, 207)

However, Sines does not specifically state the following “*receiving via a contactless input interface disposed adjacent to and beneath a portion of the monolithic sheet and operable to receive player selections associated with the game play, the player selections received via an active region having a first EM field associated*

*therewith the input interface being configured or designed such that the first EM field is interrupted by player proximity with the surface of the monolithic sheet;”*

Silva however teaches the use of player touch pads that are disposed beneath a screen, wherein the screen can be glass, plastic or some other well known material. The touch pad projects a touch detection field that projects thru the screen material, so the player may enter game inputs by merely disturbing the EM touch detection field that is projected (Silva 6:15 - 67). Silva further teaches that the game unit may provided as a flat or table top game unit (Silva 7:37 - 42).

It would be obvious to one of ordinary skill in the art to modify Sines in view of Silva to provide a touch pad assembly under a clear screen that protects the game unit. This would enable the sensitive electronics to be protected from abuse while at the same time allow the player to make game input selections easily without the use of mechanical actuators that are prone to break down and fail over time.

**Claims 66 – 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al (US 2003/0027632) in view of Silva et al (US 7,294,059) in view of Veradej (US 20030092489).**

As per claim 66, Sines teaches the use of biometrics to authenticate a user playing the gaming machine, however Sines does not specifically disclose the following

*comparing the player account information to authentication criteria to determine if further authentication of player identity is appropriate (Veradej 0042)*



*wherein the player account information includes an amount of available credits and stored biometric information for the valid smart card holder (Veradej 0045)*

*and wherein the authentication criteria includes criteria for requiring further authentication of player identity; (Veradej 0042 – 0043)*

*providing a biometric prompt if the comparison indicates that further authentication of player identity is appropriate; (Veradej 0042 – 0043)*

*biometrically scanning a player associated with the smart card device to obtain biometric identification information for the player in response to the biometric prompt; (Veradej 0041 – 0043)*

*and determining if the biometric identification information matches the stored biometric information before presenting a game of chance. (*

However Veradej teaches a gaming system that uses biometric verification to authenticate a user before the user plays the game machine. Please refer to above citations showing where Veradej teaches the missing claimed elements.

It would be obvious to one of ordinary skill in the art to modify Sines to specify the detailed process of biometrically authenticating a player at a gaming machine. Sines specifically discloses the use of player biometrics to log a player into the system. The use of biometrics provides a player and the game establishment with a layer of security that is increasingly difficult to circumvent due to the fact that the biometrics are unique to each person or player.

As per claim 67, wherein the authentication criteria includes a list of player identification numbers for which further authentication is appropriate. (Veradej par 0027)

As per claim 68, wherein the authentication criteria includes a threshold number of credits at or above which further authentication is appropriate. (Veradej 0046).

As per claim 69,  
retrieving a record corresponding to the player account information received, wherein the retrieved record includes an amount of available credits and stored biometric information for the valid smart card holder; (Veradej 0027, 0042 – 0043)

comparing the retrieved record to authentication criteria, wherein the authentication criteria includes criteria for requiring further authentication of player identity (Veradej 0027, 0042 – 0043)

providing a biometric prompt if the comparison indicates that further authentication of player identity is appropriate; (Veradej 0027, 0042 – 0043)

biometrically scanning a player associated with the smart card device to obtain biometric identification information for the player in response to the biometric prompt~ and (Veradej 0027, 0042 – 0043)

determining if the biometric identification information matches the stored biometric information before presenting a game of chance. (Veradej 0027, 0042 – 0043)

**Claims 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al (US 2003/0027632) in view of Silva et al (US 7,294,059) in view of Minami (WO 02/099479 A2).**

As per claims 51 and 52,

Sines does not disclose “further comprising one or more image redirect sheets, each image redirect sheet disposed on one of the one or more display screens for redirecting light emitted from the display screen.” [claim 51]

Or

wherein the one or more image redirect sheets are configured to allow players to view information displayed on the one or more display screens without inclining~ the one or more display screens. [claim 52]

However, Minami discloses a louver film that is adhered to the surface of the liquid crystal display and it functions as an optical filter, which prevents unnecessary exit of light beams and guards against privacy (Minami page 3:22 - 28). It would be obvious to one of ordinary skill in the art to modify Sines in view of Minami to provide an image redirect sheet upon the display screens to redirect light from the player display to the player. This would be beneficial to the player due to the fact that a player may not want to be positioned extremely close to the player display and would enable a player to have a sense of privacy when playing a game due to the fact that the display image can be directly displayed to the player and not displayed to others.

### ***Response to Arguments***

Applicant's arguments with respect to claims 8, 52-69 have been considered but are moot in view of the new ground(s) of rejection. Please see above rejection addressing each limitation of the claims.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ROSS A. WILLIAMS** whose telephone number is 571-272-5911. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ronald Laneau can be reached on 571-272-6784. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. A. W./  
Examiner, Art Unit 3714  
6/30/10

/Ronald Laneau/  
Primary Examiner, Art Unit 3714